

1-21-03

1645

Docket No. 3828-4001US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

P#5

Applicant(s): Cohava GELBER

Group Art Unit: 1645

Serial No.: 10/015,728

Examiner: To Be Assigned

Filed: November 1, 2001

For: MONOCLONAL ANTIBODIES AND CELL SURFACE ANTIGENS FOR THE  
DETECTION AND TREATMENT OF SMALL CELL LUNG CANCER (SCLC)

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No.: **EV170402940US**

Date of Deposit: **January 17, 2003**

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I hereby certify that the following attached paper(s) and/or fee

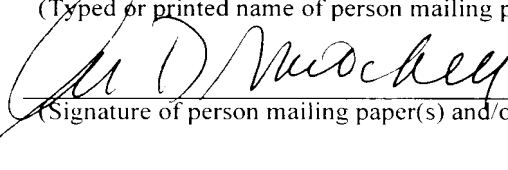
1. Supplemental Information Disclosure Statement;
2. PTO-Form 1449 w/ copies of all cited references;
3. A copy of the International Search Report; and
4. A return receipt postcard.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231

Erica D. Mitchell

(Typed or printed name of person mailing papers(s) and/or fee)

Date: January 17, 2003

  
(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449. Copy(ies) of these references ☒ are attached ☐ were filed in related application U.S. Serial No(s) \_\_\_\_\_, filed \_\_\_\_\_, respectively.

- ☐ This document is being filed within three (3) months of the filing date of the application
- ☐ Please charge the \$180 fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_.
- ☐ This document is being concurrently filed with the above-identified application
- ☐ This document is being concurrently filed with an Request for Continued Examination (RCE)
- ☒ This document is being filed prior to a first Office Action
- ☒ This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3828-4001US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: January 17, 2002

By: \_\_\_\_\_

*Paula K. Wittmayer*  
Paula K. Wittmayer  
Registration No. P53,785

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surcharge pursuant to 37 C.F.R. § 1.16(l) for the filing of the enclosed executed Declaration in this application by a small entity.

It is respectfully submitted that the filing of the completed Declaration and surcharge satisfy the requirements for a complete response to the Notice.

**AUTHORIZATION**

The applicant has enclosed herewith all fees believed to be properly assessable in this application. However, should additional fee(s) be required by the filing of these papers, the Commissioner is hereby authorized to charge any additional fees, or to credit any overpayment, to Deposit Account No. 13-4500, Order No. 3828-4001US1.

In the event that an extension of time may be required by the filing of this response, the Commissioner is hereby requested to grant a petition for that extension of time which is required to make this response timely, and is hereby authorized to charge the requisite extension of time fee to Deposit Account No. 13-4500, Order No. 3828-4001US1.

**A duplicate copy of this paper is attached.**

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Date: May 22, 2002

By: Leslie Serunian  
Leslie Serunian  
Reg. No. 35,353

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c. ☐ The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below. *copy*

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application

11. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).

☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3828-4001US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: May 30, 2002

By:

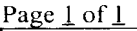
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Serial No.:  
10/015,728

Applicant:  
Cohava GELBER

Filing Date:  
November 1, 2001

Group Art Unit:  
1645

## INFORMATION DISCLOSURE CITATION

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Patent Number	Publication Date	Country	Class	Sub-Class	Translation
							<input type="checkbox"/> Yes <input type="checkbox"/> No
							<input type="checkbox"/> Yes <input type="checkbox"/> No
							<input type="checkbox"/> Yes <input type="checkbox"/> No

**OTHER DOCUMENTS (Including Author, Title, Date, etc.)**

	2	Pettijohn, D. E. et al., "Glycoproteins Distinguishing Non-Small Cell from Small Cell Human Lung Carcinoma Recognized by Monoclonal Antibody 43-9F," <u>Cancer Research</u> , 47:1161-1169, 15 February 1987.
	3	Waibel, R. et al., "Monoclonal antibodies defining the cluster-5A small cell lung carcinoma antigen," <u>Br. J. Cancer</u> , 63(S. XIV):29-32, 1991.
	4	Zarn, J. A. et al., "Association of CD24 with the Kinase c-fgr in a Small Cell Lung Cancer Cell Line and with the Kinase lyn in an Erythroleukemia Cell Line," <u>Biochemical and Biophysical Research Communications</u> , 225(2):384-391, Article No. 1184, 14 August 1996.

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.  
Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.